

REMARKS

Claims 1-9, 11, 13, 26-28, 30 and 36-50 are pending, with claims 1-3, 11 and 39-41 being independent. Claims 1-3, 11, 36-41 and 45-47 have been amended and claim 15 has been canceled by this amendment. Support for the amendment may be found in the application at, for example, Figs. 2, 18 and 19. No new matter has been introduced.

Claims 11, 13 and 30 were provisionally rejected for obviousness-type double patenting over claims 8, 49, 50 and 52-55 of copending application No. 09/797,186 (US 2002/0000551 A1). Applicants request reconsideration and withdrawal of this rejection because the '186 application has issued as U.S. Patent No. 6,759,678 without claims 8, 49, 50 and 52-55 of the '186 application.

Claims 1, 2, 4, 5, 7, 8, 26, 27, 39, 40, 42, 43, 48 and 49 have been rejected as unpatentable over JP 6-148685 (JP '685) in view of Yoshinouchi (U.S. Patent No. 5,767,531). Applicant requests reconsideration and withdrawal of this rejection because neither JP '685, Yoshinouchi, nor any proper combination of the two describes or suggests a gate insulating film that has a first region having a first thickness where the gate insulating film is covered by a first conductive film, a second region having a thinner second thickness where the gate insulating film is not covered by the first conductive film, and a tapered cross section at a portion between the first region and the second region, as recited in independent claims 1, 2, 39 and 40. In particular, Yoshinouchi, which is cited as showing a gate insulating film have different thicknesses, does not include a gate insulating film with a tapered cross section. JP '685 also fails to show such a gate insulating film. Accordingly, since neither JP '685 nor Yoshinouchi describes or suggests this feature, no proper combination of these references would do so.

Claims 3, 6, 9, 28, 41, 44 and 50 have been rejected as unpatentable over JP '685 in view of Yoshinouchi and Nishimura (U.S. Patent No. 6,462,802). Applicant requests reconsideration and withdrawal of this rejection because Nishimura, which is cited as showing a gate electrode having a tapered shape, fails to describe or suggest a gate insulating film that has a first region having a first thickness where the gate insulating film is covered by a first conductive film, a second region having a thinner second thickness where the gate insulating film is not covered by

the first conductive film, and a tapered cross section at a portion between the first region and the second region, as recited in independent claims 3 and 41. Accordingly, since neither JP '685, Yoshinouchi, nor Nishimura describes or suggests this feature, no proper combination of these reference would do so.

Dependent claims 36, 37, 45 and 46 have been rejected as unpatentable over JP '685 in view of Yoshinouchi and Hirakata (U.S. Patent No. 5,982,471), and dependent claims 38 and 47 have been rejected as unpatentable over JP '685 in view of Yoshinouchi, Nishimura and Hirakata. Applicant requests reconsideration and withdrawal of this rejection because Hirakata, which is cited as showing an organic interlayer insulating film, does not remedy the failure of JP '685, Yoshinouchi and Nishimura to describe or suggest the subject matter of the independent claims.

Applicant submits that all claims are in condition for allowance.

The fees in the amount of \$300 for the one-month extension of time fee (\$120) and the information disclosure statement late submission fee (\$180) are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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